

RE: draft WQS

Wax, Peter N. <pwax@nd.gov>

Tue 7/28/2020 11:00 AM

To: Wirick, Holiday <wirick.holiday@epa.gov>

Holly: Yes! Yes! I was hoping you would ask.

1. Attached strike versions
2. With supporting information

Pete

Summary of Proposed Changes to the Standards

1. 33.1-16-02.1-05. Variances and Compliance schedules:

- Correct spelling of the word exceedance

2. Water Quality Criteria:

- Add the word "None" in the Cas No. Column when no Cas Number exist for the criteria.
- Update the Ammonia Criteria in Table 1, to reflect Clean Water Act, Section 304(a) Criteria Recommendations for the protection of aquatic life.
- Removed from Table 1 the Site-Specific Ammonia Criteria applied to the Red River of the North beginning at 12th Avenue North bridge in Fargo, North Dakota and continuing north approximately 32 miles as Fargo's current waste treatment systems is sufficient to meet the Clean Water Act, Section 304(a) Criteria Recommendations for the Protection of Aquatic Life.
- Updated pH in Table 1 for Class I and IA streams from 7.0-9.0 to 6.5-9.0 to reflect the CWA Section 304(a) Criteria Recommendation for the Protection of Aquatic Life.
- Adding selenium fish flesh to Table 1. Criteria is applied in a hierarchy process beginning with Egg-Ovary of 15.1, Whole Body of 8.5 and Muscle of 11.1 mg/kg as dry weight. The addition reflects the fish flesh CWA Section 304(a) Criteria Recommendation for the Protection of Aquatic Life.
- Changed the example of the hardness dependent criteria for Cadmium, Chromium(III), Copper, Lead, Nickel, Silver, and Zinc from a hardness of 100 mg/l to 400 mg/l to more accurately reflect the hardness in North Dakota waters.
- Updated the chronic aquatic life Mercury criteria from 0.012 µg/l to 0.88 µg/l total recoverable to reflects the CWA Section 304(a) Criteria Recommendation for the Protection of Aquatic Life.

3. Discharge of Wastes:

- Updated the language in 33.1-16-02.1-11. (4) Discharge of wastes to accurately reflect the process of reporting any spill or discharge of waste that causes or is likely to cause pollution of waters.

4. APPENDIX I, STREAM CLASSIFICATION TABLE:

- Improved formatting of table.

5. APPENDIX II, LAKE & RESERVOIR CLASSIFICATION TABLE:

- Improved formatting of table.

6. APPENDIX III, MIXING ZONE & DILUTION POLICY & PROCEDURES:

- Correct spelling of the word exceedances.
- Updated Step 1 for implementing mixing zone procedures during critical low-flow conditions.

7. APPENDIX IV, ANTIDEGREDATION PROCEDURES:

- Remove the word, actually.
- Updated language in the review process for Category 3 Waters. Primarily removing reference to Pollution Control Board.

From: Wirick, Holiday
Sent: Tuesday, July 28, 2020 11:15 AM
To: Wax, Peter N. <pwax@nd.gov>
Subject: draft WQS

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Hi Pete, would it be possible for you to share an advance copy of the draft WQS with me prior to its release for public comment?

Thanks,
Holly